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Docket No.: 09867/0202189-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ryoji Hayashi

Application No.: 10/524,305

Confirmation No.: 6456

Filed: February 8, 2005

Art Unit: N/A

For: REMOTE CONTROL SYSTEM AND ITS
TRANSMITTER AND MOVABLE MACHINE

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

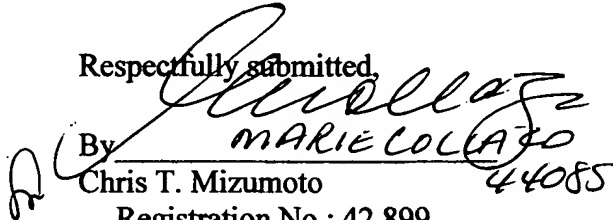
In response to the Notification of Missing Requirements of Application – Filing Date Granted mailed August 19, 2005 Applicant respectfully submits a copy of our Second Submission of items concerning a filing under 35 U.S.C. 371, including a copy of the Combined Declaration and Power of Attorney as previously submitted to the United States Receiving Office on March 21, 2005 and Part 2 Copy of Notice. Also enclosed is a stamped return receipt postcard.

Applicants respectfully request Acceptance of this application as of March 21, 2005.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: September 6, 2005

Respectfully submitted,


By MARIE COLAZZO
Chris T. Mizumoto 44085

Registration No.: 42,899

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New York, New York 10150-5257

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Attorneys/Agents For Applicant

Inventor: Ryoji Hayashi

Appln: 10/524,305

Filed: Feb. 8, 2005

Title: REMOTE CONTROL SYSTEM AND ITS
TRANSMITTER AND MOVABLE MACHINE

Documents:

Certificate of Express Mailing Under 37 CFR 1.10 (1 pg)

PTO 1390 (2 pp) - 2nd submission

Executed Declaration/Power of Attorney (3 pp)

Recordation Form Cover Sheet (1 pg) w/Assignment (2 pp)

Check No. 8011 in the amount of \$170.00

Return Receipt Postcard

REP 2005

EV447565292-US.

Via: Express Mail: Airbill No.

Sender Initials: CTM/mch Date: March 21, 2005

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Application No. (if known): 10/524,305

Attorney Docket No.: 09867/0202189-US0

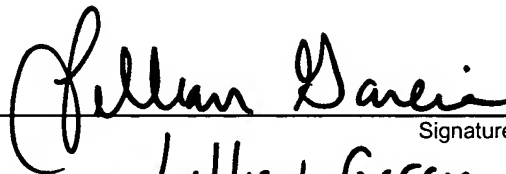
Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

EV691013590-US

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 6, 2005
Date



Signature

Lillian Garcia

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notice to File Missing Parts of Application (2 pp);
Copy of Notice (2 pp);
Copy of Certificate of Express Mailing Under 37 CFR 1.10 (2nd submission) mailed March 21, 2005 (1 pg);
Copy of PTO 1390 (second submission)(2 pp);
Copy of Executed Declaration and Power of Attorney (3 pp);
Copy of date stamped (March 21, 2005) return receipt postcard; and
Return Receipt Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

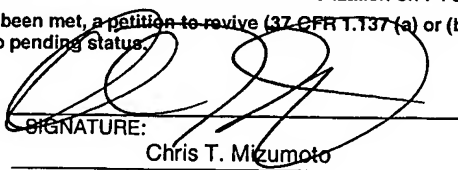
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 09867/0202189-US0
INTERNATIONAL APPLICATION NO. PCT/JP2003/010177	INTERNATIONAL FILING DATE 8 August 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/524,305
TITLE OF INVENTION REMOTE CONTROL SYSTEM AND ITS TRANSMITTER AND MOVABLE MACHINE		PRIORITY DATE CLAIMED 12 August 2002
APPLICANT(S) FOR DO/EO/US Ryoji Hayashi		

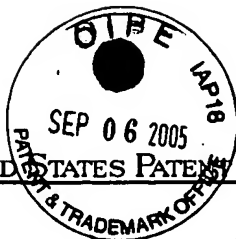
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **Certificate of Express Mailing Under 37 CFR 1.10; Check in the amount of \$170.00; Return Receipt Postcard**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/524,305		INTERNATIONAL APPLICATION NO. PCT/JP2003/010177		ATTORNEY'S DOCKET NUMBER 09867/0202189-USO	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee\$300				\$	
22. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)\$100					
All other situations\$200				\$	
23. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority\$100					
International Search Report prepared and provided to the Office\$400					
All other situations\$500				\$	
TOTAL OF 21, 22 and 23 =				\$	0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x	\$	
Independent claims	- 3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
SUBTOTAL =				\$	130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	130.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	170.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>170.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0100</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Joseph R. Robinson DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7783 CUSTOMER NUMBER: 07278					
				SIGNATURE:	
				NAME	Chris T. Mizumoto
				REGISTRATION NUMBER	42,899



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,305	Ryoji Hayashi	09867/0202189-US0

INTERNATIONAL APPLICATION NO.

PCT/JP03/10177

I.A. FILING DATE

PRIORITY DATE

08/08/2003

08/12/2002

7278

DARBY & DARBY P.C.

P. O. BOX 5257

NEW YORK, NY 10150-5257

DUE: OCT. 19, 2005
 Docketed on 8/21/05 by LIG for
 Docketed without file ☐
 Attorney _____

CONFIRMATION NO. 6456
 371 FORMALITIES LETTER
 OC000000016744941
 OC000000016744941

Date Mailed: 08/19/2005

3-19-06
NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/08/2005
- Copy of the International Search Report filed on 02/08/2005
- Preliminary Amendments filed on 02/08/2005
- Information Disclosure Statements filed on 02/08/2005
- U.S. Basic National Fees filed on 02/08/2005
- Substitute Specification filed on 02/08/2005
- Priority Documents filed on 02/08/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,305	PCT/JP03/10177	09867/0202189-US0

FORM PCT/DO/EO/905 (371 Formalities Notice)